

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BILLY W. MOORE,	)	
	)	
Plaintiff,	)	Civil Action No. 13-112 Erie
	)	
v.	)	District Judge Nora Barry Fischer
	)	Magistrate Judge Susan Paradise Baxter
SCI COAL TOWNSHIP,	)	
	)	
Defendant.	)	

**ORDER**

AND NOW, this 1st day of October, 2013, after the Plaintiff Billy W. Moore filed a complaint and a motion for leave to proceed *in forma pauperis* in the above-captioned case, and after a Report and Recommendation was filed by United States Magistrate Judge Susan Paradise Baxter on June 3, 2013, and after the Magistrate Judge gave Plaintiff until September 30, 2013 in which to file written objections to the Report and Recommendation, and Plaintiff having failed to file any objections as of today's date, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 2), which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Plaintiff's motion for leave to proceed *in forma pauperis* (Docket No. 1) is granted.

IT IS FURTHER ORDERED that the Plaintiff's complaint is dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(iii), as it seeks monetary relief against a Defendant who is immune from such relief.

IT IS FURTHER ORDERED that the Clerk of Court is directed to mark this case  
CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules  
of Appellate Procedure, if the Plaintiff wishes to appeal from this Order a notice of appeal, as  
provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court,  
at 17 South Park Row, Room A-150, Erie, Pennsylvania 16501, within thirty (30) days.

/s/ Nora Barry Fischer

Nora Barry Fischer  
United States District Judge

cc: Billy W. Moore  
1024 Peach Street  
Erie, PA 16501  
(via First-Class U.S. Mail)

Honorable Susan Paradise Baxter  
United States Magistrate Judge